

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

John Drobnick, Ellen Drobnick,

Plaintiffs,

Civil No. 06-527 (RHK/JSM)

vs.

**DISQUALIFICATION AND
ORDER FOR REASSIGNMENT**

Merck & Company, Inc.,

Defendant.

The above-entitled matter has been assigned to the undersigned, a Judge of the above Court. Pursuant to Title 28, United States Code § 455, the undersigned recuses himself from hearing this matter. Accordingly,

IT IS HEREBY ORDERED, that pursuant to this Court's Assignment of Cases Order dated December 9, 2005, the above-captioned action shall be resubmitted to the Clerk of Court for reassignment. The Clerk of Court shall not replace a card in the Master Deck for the undersigned.

IT IS FURTHER ORDERED, that a copy of this Order shall be filed in the above-captioned case.

Dated: February 9, 2006

s/Richard H. Kyle _____
RICHARD H. KYLE
United States District Judge